

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**04 CR 10248 RCL**

UNITED STATES OF AMERICA )

CRIMINAL NO.

v. )

**VIOLATIONS:**

(1) CHRISTOPHER ALVITI, )  
and )

(2) RICHARD GOULD, )  
Defendants )

21 U.S.C. § 846 -  
Conspiracy to Possess with Intent  
to Distribute, and to Distribute,  
Oxycodone

21 U.S.C. 841(a)(1) -  
Possession With Intent to  
Distribute and Distribution of  
Oxycodone

21 U.S.C. 841(a)(1) -  
Possession With Intent to  
Distribute Oxycodone

21 U.S.C. § 853 -  
Criminal Forfeiture Allegation

**INDICTMENT**

**COUNT ONE:** (21 U.S.C. § 846 - Conspiracy to Possess with  
Intent to Distribute, and to Distribute,  
Oxycodone)

The Grand Jury charges that:

Beginning on an unknown date but at least by in or about  
November 2003 and continuing thereafter until on or about June  
29, 2004, at Beverly and elsewhere in the District of  
Massachusetts,

1. CHRISTOPHER ALVITI, and
2. RICHARD GOULD,

defendants herein, did knowingly and intentionally combine,  
conspire, confederate, and agree with each other, and with other

persons unknown to the Grand Jury, to distribute, and to possess with intent to distribute, oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO: (21 U.S.C. §841(a)(1) - Distribution of Oxycodone)**

The Grand Jury further charges that:

On or about December 17, 2003, at Beverly, in the District of Massachusetts,

**1. CHRISTOPHER ALVITI,**  
defendant herein, did knowingly and intentionally distribute, and possess with intent to distribute, oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT THREE: (21 U.S.C. §841(a)(1) - Distribution of Oxycodone)**

The Grand Jury further charges that:

On or about January 13, 2004, at Beverly, in the District of Massachusetts,

**1. CHRISTOPHER ALVITI,**

defendant herein, did knowingly and intentionally distribute, and possess with intent to distribute, oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FOUR: (21 U.S.C. §841(a)(1) - Distribution of Oxycodone)**

The Grand Jury further charges that:

On or about February 4, 2004, at Beverly, in the District of Massachusetts,

**1. CHRISTOPHER ALVITI,**

defendant herein, did knowingly and intentionally distribute, and possess with intent to distribute, oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FIVE:** (21 U.S.C. §841(a)(1) - Distribution of Oxycodone)

The Grand Jury further charges that:

On or about March 18, 2004, at Beverly, in the District of Massachusetts,

**1. CHRISTOPHER ALVITI,**

defendant herein, did knowingly and intentionally distribute, and possess with intent to distribute, oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SIX:**        (21 U.S.C. §841(a)(1) - Distribution of Oxycodone)

The Grand Jury further charges that:

On or about June 2, 2004, at Beverly, in the District of  
Massachusetts,

**1. CHRISTOPHER ALVITI,**

defendant herein, did knowingly and intentionally distribute,  
and possess with intent to distribute, oxycodone, a Schedule  
II controlled substance.

All in violation of Title 21, United States Code, Section  
841(a)(1).

**COUNT SEVEN: (21 U.S.C. §841(a)(1) - Possession with Intent to Distribute Oxycodone)**

The Grand Jury further charges that:

On or about June 30, 2004, at Beverly, in the District of Massachusetts,

**2. RICHARD GOULD**

defendant herein, did knowingly and intentionally possess with intent to distribute, oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

**FORFEITURE ALLEGATION: (21 U.S.C. § 853)**

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts 1 through 7 of this Indictment,

**1. CHRISTOPHER ALVITI, and**

**2. RICHARD GOULD**

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants -

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

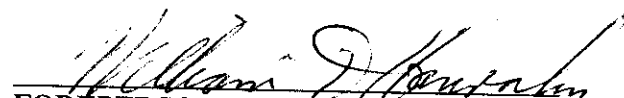
**NOTICE OF ADDITIONAL FACTORS**

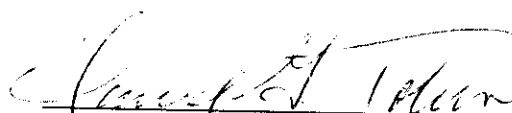
The Grand Jury further finds that:

1. The defendant RICHARD GOULD is accountable for a quantity of oxycodone that, when converted to marijuana as provided by USSG §2D1.1 (drug equivalency table), is equivalent to at least 10,000 kilograms but not more than 30,000 kilograms of marijuana. Accordingly, USSG §2D1(c)(2) applies to this defendant.

2. The defendant CHRISTOPHER ALVITI is accountable for a quantity of oxycodone that, when converted to marijuana as provided by USSG §2D1.1 (drug equivalency table), is equivalent to at least 1000 kilograms but not more than 3,000 kilograms of marijuana. Accordingly, USSG §2D1.1(c)(4) applies to this defendant.

A TRUE BILL

  
FOREPERSON OF THE GRAND JURY

  
DAVID G. TOBIN  
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; August 18, 2004

Returned into the District Court by the Grand Jurors and filed.

  
DEPUTY CLERK

3/18/04  
(u.s.) 12452

04 CR 10248 RCL

## Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Beverly Category No. II Investigating Agency DEA/FDACity Beverly Related Case Information:County Essex Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number 04-MJ-01807-CBS  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

## Defendant Information:

Defendant Name Christopher Alviti Juvenile ☐ Yes ☒ NoAlias Name Christopher KingAddress 5 Trask Lane, Beverly, MABirth date (Year only): \_\_\_\_\_ SSN (last 4 #): \_\_\_\_\_ Sex M Race: Caucasian Nationality: USADefense Counsel if known: Catherine Byrne Address: 408 Atlantic Avenue, Third Floor  
Boston, MA 02210

Bar Number: \_\_\_\_\_

## U.S. Attorney Information:

AUSA David G. Tobin Bar Number if applicable 552558Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☒ Regular Process ☐ In Custody

## Location Status:

Arrest Date: June 29, 2004☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by M.J. Swartwood on July 2, 2004Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 7

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 08/18/04Signature of AUSA: David G. Tobin

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

**04 CR 10248 R**

District Court Case Number (To be filled in by deputy clerk):

Name of Defendant Christopher Alviti

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess &amp; Distribute Oxycodone</u>	<u>1</u>
Set 2	<u>21 U.S.C. § 841(a)(1)</u>	<u>Distribution of Oxycodone</u>	<u>2 through 6</u>
Set 3	<u>21 U.S.C. § 841(a)(1)</u>	<u>Possession with Intent to Distribute Oxycodone</u>	<u>7</u>
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

04 CR 10248 RCL

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: Beverly Category No. II Investigating Agency DEA/FDACity Beverly Related Case Information:County Essex Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number 04-MJ-01814-CBS  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_**Defendant Information:**Defendant Name Richard W. Gould Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 10 Druid Avenue, Peabody, MA 01960Birth date (Year only): 1978 SSN (last 4 #): 1313 Sex M Race: Caucasian Nationality: USADefense Counsel if known: Scott Lopez Address: 24 School Street, 8<sup>th</sup> Floor  
Boston, MA 02108

Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA David G. Tobin Bar Number if applicable 552558Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☒ Regular Process ☐ In Custody**Location Status:**Arrest Date: June 30, 2004☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by M.J. Swartwood on July 16, 2004Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 7

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 08/18/04Signature of AUSA: David G. Tobin

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

04CR10248 RCL

District Court Case Number (To be filled in by deputy clerk):

Name of Defendant Richard W. Gould

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess &amp; Distribute Oxycodone</u>	<u>1</u>
Set 2	<u>21 U.S.C. § 841(a)(1)</u>	<u>Distribution of Oxycodone</u>	<u>2 through 6</u>
Set 3	<u>21 U.S.C. § 841(a)(1)</u>	<u>Possession with Intent to Distribute Oxycodone</u>	<u>7</u>
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: